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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,603	11/15/2000	Adam Coyle		5258
20350	7590	10/21/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			PATEL, JAGDISH	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/713,603	COYLE, ADAM	
	Examiner	Art Unit	
	JAGDISH PATEL	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 13 July 2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,3,5-12,14-19 and 21-23 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,3,6-12,14-19 and 21-23 is/are rejected.

7) Claim(s) 5 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

1. This communication is in response to amendment filed 7/14/04.

Response to Amendment

2. Claims 1,3,5,9,10,12,16-19 and 21-23 have been amended per request. Presently claims 1,3,5-12, 14-19 and 21-23 remain pending.

Response to Arguments

3. Applicant's arguments with respect to the claims rejected over prior art have been considered but are moot in view of the new ground(s) of rejection.

4. In response to the amended claims rejection of claims under 35 USC 101 and 35 USC 112 (second) have been withdrawn.

Claim Rejections - 35 USC § 103

5. Claims 1 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss and further in view of Bator (US Pat. 6,575,362) (Bator).

Claim 1: Weiss discloses a stored-value card system, which comprises:

a card issued by a card issuing institution;
(col. 2 L 62-64, player cards)

a card identifier associated with said card and assigned thereto by the issuing institution;

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(col. 2 L 62-64 player selected or randomly assigned personal identification number)

a reloadable value associated with said card and credited to the card by the issuing institution; and

(col. 5 L 1-5, "depositing funds into their account", noting that the account is associated with the card)

a sub-account associated with said card and identified by the card identifier,

(col. 3 L 11+, ..system which allows players to establish an electronic account as easily as selecting a personal identification number and depositing funds at an enrollment station. Deposits can be comprised of cash, chips, checks or marker proceeds. After the account has been established, the player receives a player card which may be used at any gaming machine. The electronic account is accessed at any particular gaming machine via the player card and the associated personal identification number.)

a host computer communicatively connected with computational devices at point-of-sale establishments, the host computer having programming instructions to:

authorize a purchase made by presenting said card at point-of-sale establishments and debit a cost of the purchase from the said sub-account; and

authorize redemption a balance of the sub-account;

(refer to col. 3 L 11+ he electronic account is accessed at any particular gaming machine via the player card and the associated personal identification number. The player accesses funds from the electronic account by simply inserting the player tracking card into a card reader, entering the personal identification number associated with the card .. , col. 57-61, redemption apparatus , note that the authorization of game purchase at the gaming machines G_n and authorization of redemption of the balance (in the form of "prerequisite vouchers") are controlled by the host computer system 20)).

Weiss fails to teach that the stored value card system authorizes redemption of a balance of the sub-account in the form of a negotiable instrument payable to the holder of the sub-account.

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Bator in the same field of endeavor, however, discloses a stored-value card system which comprises authorizing redemption of a balance of a sub-account in the form of a negotiable instrument payable to a holder of the sub-account (see abstract, col. 5 L 10-18, payment for money order is secured by drawing funds directly from .., col. 5 L 40-50 ..accepting payment by debiting accounts accessed via credit or debit cards, or directly debiting the amounts of the value from the stored in the smart cards and col. 6 L 10-16, processor communicates with a remote financial institution 18 wherein the account is maintained..)

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the feature of authorizing redemption of a balance of the sub-account in the form of a negotiable instrument payable to the holder of the sub-account as disclosed in Weiss as per teaching of Bator. Authorizing and issuing balance of funds in the form of a negotiable instrument payable to the account holder would provide more secure and convenient form of the negotiable payment instrument which may be more desirable in certain situations such as redemption of large amounts of money in the account that the account holder desires to cash out.

Claim 3. wherein the instructions to authorize redemption of balance of the sub-account comprise instructions ..in the form of a money order (see claim 1, Bator explicitly teaches money order as a form of negotiable instrument).

Claim 7. wherein said card includes a magnetic strip, the card identifier being encoded on the magnetic strip.

(col. 8 L 54+ refer to fields identified as 1-9, filed 5 refers to card identification where one method of identification is card insertion, i.e. the identification is read via insertion of the card in the card reader, referring to col. 21 L 18+ read-write machine interface 82 shown in Fig. 10 shows a magnetic strip used to read the card identification)

Claim 8. wherein said card identifier is adapted to be read by a reader at the point-of-sale retail establishment.

(refer to analysis of claim 7 noting that the POS is the location wagering where the customer uses the card for services)

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Claim 9. wherein said reader is in communication with a network comprising multiple point-of-sale establishments which accept said card for the purchase of goods and services.

(refer to Figure 1 refers to G₁, G₂..G_N).

Claim 10. Weiss discloses a method of purchasing goods and services in transactions utilizing value-added cards, which method comprises the steps of

issuing a plurality of said cards to a point-of-sale retail establishment;

(col. 2 L 62-64, col. 3 L 11+ player cards)

pre-assigning sub-account identifiers to said cards;

(col. 3 L 11+ player cards and account has been established..player receives a player card)

crediting the sub-accounts associated with said cards with initial reloadable values;

(col. 3 L 11+ player cards and account has been established..player receives a player card)

debiting a respective sub-account by respective amounts in response to one or more purchases made with a respective one of said cards at a merchant; and

(col. 7 L 25-46, refer to download funds from the account to the gaming machines, in this context download amounts to debiting the sub-account ("account"))

issuing an instruction to generate a negotiable instrument payable of a balance of the respective sub-account to a holder of the respective sub-account in response to a request to redeem the respective one of the cards by said holder, wherein the balance is a difference between the values credited to the respective sub-account and the amounts debited from the respective sub-account.

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(please refer to analysis of claim 1 for combination of Weiss and Bator references for teaching of this limitation and motivation for this combination)

Claim 11. The method of claim 10, which includes the additional step of reloading said respective one of the cards in response to a purchase of additional values by said holder, by crediting said respective sub-account.

(refer to Fig. 7 ..deposit funds to his electronic account)

Claim 12. wherein crediting the sub-accounts comprises crediting the sub-accounts associated with the cards with identical predetermined amounts.

(col. 11 L 40-42, cash denominations)

Claim 14. wherein the negotiable instrument comprises a money order.

(see claim 3 analysis).

Claim 15. wherein the respective one of said cards includes a numerical identifier corresponding to said respective sub-account.

(col. 3 L 18+ personal identification number associated with the card)

Claim 17. receiving a request for authorization of a transaction to support the purchase, including an amount of the transaction and the sub-account identifier corresponding to the respective sub-account; and authorizing the transaction if sufficient funds are available to be debited in the respective sub account.

(refer to fig. 1, and relevant discussion on col. 7)

Claim 18. wherein the request was generated by a first computational device at the merchant and received by a second computational device linked to the first computational device.

(first device is a gaming device G1,..GN at the casino and second computational device is Bank/Progressive controller 94 shown in Fig.1)

Claim 19. wherein the respective one of said cards includes a magnetic strip, encoding the sub-account identifier for the respective sub-account on the magnetic strip.

(col. 8 L 54+ refer to fields identified as 1-9, filed 5 refers to card identification where one method of identification is card insertion, i.e. the identification is read via insertion of the card in the card reader, referring to col. 21 L 18+ read-write machine interface 82 shown in Fig. 10 shows a magnetic strip used to read the card identification)

Claim 21. wherein said reloading said respective of the cards comprises crediting the respective sub accounts with one of a plurality predetermined incremental amounts.

(col. 11 L 40-42, cash denominations)

Claim 22. receiving a request for authorization of a transaction to support the purchase, including an amount of the transaction and the sub-account identifier; and

authorizing the transaction if sufficient funds to be debited from the respective subaccount.

(refer to fig. 1, and relevant discussion on col. 7)

Claim 23. wherein the request was generated by a first computational device adapted to read the sub account identifier

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from the magnetic strip, and received by a second computational device.

(transaction authorization request is generated by gaming machine GN which reads the sub account identifier from the magnetic strip (refer to discussion of prior claims) and received by a Bank/Progressive controller, 94 shown in Figure 1).

6. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss and Bator as applied to claim 1 and further in view of Fite (US Pat. 6,467,684) (Fite).

Claims 6: Weiss and Bator fail to disclose, however, in the same field of endeavor, Fite teaches a stored-value card system wherein the card identifier is printed on the card and selectively concealed by a removable concealing strip attached to the card (see col. 6, claim 2). It would have been obvious to one of ordinary skill in the art at the time of invention to have the card identifier is printed on the card and selectively concealed by a removable concealing strip attached to the card in order to prevent fraudulent use of the card if lost or stolen.

Claim 16 is similarly analyzed.

Allowable Subject Matter

7. Claims 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent

form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH

PATEL whose telephone number is (703)308-7837. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703)308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

10/18/04